

MARCH 30, 2001 MEETING WITH MEADOWVILLE WATER USERS

Attending - Linda Willis, Paul Lamborn JR., Lori Lamborn, Paul Lamborn Sr., Clark Willis, MacKay Willis, Ron Hoffman, John Larsen, Bob Fotheringham, Lee Sim, Renee Spooner,

Noticeably absent - Theron Weston

Quite a bit of discussion about individual questions concerning the water rights for the water users present at the meeting - when could they take the water etc. Bob F. was able somewhat to clear a number of them up. There still remains quite a bit of confusion because of the way the WUCs were taken and how the PDET was compiled - there is a water right for every single source and every single diversion - a lot of pieces that don't seem to fit together very well. Bob F. said he has to take it a water right at a time to understand what each right allows - it is hard to see how the rights are supposed to correlate with each other. The water users seemed to feel that if there were not the contention on the creek (if they all were really trying to get along) they could probably figure out how to distribute the water without the need of a deputy or a commissioner. However, it is the consensus that Theron Weston does not want to get along and has some very strong ideas about how water should be distributed which are different than the PDET. That is the reason for the lawsuit.

It also became clear to the water users that they really needed to know who owned and/or was irrigating each parcel of land. Knowing this and using the maps, the allocation of the water rights to the current owners probably could be worked out. It was suggested that each water user take the map that was sent to them and color in their particular parcels of ground. Each water user would then give their map to the new commissioner who would make a master map (in coordination with our office). The commissioner and our office would try to develop an up to date delivery schedule that would make it easier for everyone to understand how the water is to be distributed. It was emphasized however that this would not constitute an update of the ownership of their water rights - it would simply be an effort to improve distribution. Title updates would require a report of conveyance in almost every instance in this area.

There were two names suggested at the meeting who might be able and willing to serve as commissioner - Chad Peart (lives in Randolph) and Tom Weston (a user on the very bottom of the system). Tom expressed interest to Clark Willis. Paul Lamborn tried but has not yet talked with Chad. Concerns - Chad lives quite a ways away; does Tom really have the time. (Later at the meeting in Randolph, (Theron was there) the idea came up that Craig Showalter from Woodruff might be willing - but that is even further away than Randolph). They will try to talk with these men before the next meeting.

Discussion on the budget and salary for the commissioner. Generally the compensation would be around \$2000. Proposed that it be split up as a flat \$200/ month for 6 months and then \$5.00 per hour on top of that for each hour they worked on the system. There was some discussion about paying mileage - if Tom becomes commissioner may not need to pay it because he lives locally. If Chad is the commissioner probably need to pay mileage from Randolph. It was generally agreed that the time when a commissioner would be needed in the area would start at April 1 and would be over by the middle to the end of June.

Agreed that we would not worry about measuring devices this year but would look into that for next year. The water users will indicate on their maps (when they are coloring their parcels) the locations where they believe that measuring devices are needed in the area.

Some discussion about enforcement - it will be a challenge even with a commissioner if

there are water users who do not want to cooperate and who insist on changing the headgate settings established by the commissioner. It can be prosecuted as a criminal offense but the problem is gathering evidence to document who is changing the settings.

Next meeting set for April 11 at 11:00am - same place.

APRIL 5, 2001

**NOTICE TO THE WATER USERS IN THE
MEADOWVILLE AREA**

The next meeting of the water users in the Meadowville area and representatives from the Division of Water Rights will be held **Wednesday, April 11, 2001, at 11:00 a.m., at:**

Garden City Offices
145 W Center
Garden City UT

The following is a summary of the meeting held on March 30, 2001.

Quite a bit of discussion about individual questions concerning the water rights for the water users present at the meeting - when could they take the water etc. Bob Fotheringham. was able to respond to most of the questions. There still remains quite a bit of confusion because of the way the Water User Claims were taken and how the Proposed Determination of Water Rights was compiled .

It also became clear that it would be very helpful if it was known who currently owned and/or was currently irrigating each parcel of land. Knowing this and using the maps, the allocation of the water rights to the current owners probably could be worked out. It was suggested that each water user take the map that was sent to them and color in their particular parcels of ground. Each water user would then give their map to the new commissioner who would make a master map (in coordination with the Division of Water Rights). The commissioner and the division would try to develop an up-to-date delivery schedule that would make it easier for everyone to understand how the water is to be distributed. It was emphasized however that this would not constitute an update of the ownership of their water rights - it would simply be an effort to improve distribution. Title updates would require a report of conveyance prepared by a professional in almost every instance in this area.

There were two names suggested at the meeting who might be able and willing to serve as commissioner - Chad Peart and Tom Weston. The water users will try to talk with these men before the next meeting.

Discussion on the budget and salary for the commissioner. Generally the compensation would be around \$2000. Proposed that it be split up as a flat \$200/ month for 6 months and then \$5.00 per hour on top of that for each hour the commissioner worked on the system. There was some discussion about paying mileage, but that issue was not resolved. It was generally agreed that the time when a commissioner would be needed in the area would start at April 1 and would be over by the middle to the end of June.

It was agreed that measuring devices would not be required to be installed this year, but probably

would be required next year. The water users will indicate on their maps (when they are coloring their parcels) the locations where they believe that measuring devices are needed in the area.

The purpose of the next meeting will be to continue a discussion of these issues.

If you have any questions or comments prior to the meeting, please contact me at (801)538-7380 or Bob Fotheringham, Regional Engineer, at (435)752-8755.

Sincerely,
Lee H. Sim, P.E.
Assistant State Engineer for Distribution

cc: Bob Fotheringham
Ron Hoffman